

December 12, 1988

Honorable Phil Gramm  
United States Senator  
712 Main Street, Suite 2400  
Houston, Texas 77002

Dear Senator Gramm:

Thank you for your November 17, 1988, letter regarding International Distribution Corporation (IDC) and its involvement in an Environmental Protection Agency (EPA) administrative proceeding. I have thoroughly reviewed the matter and am glad to provide the following information.

IDC is the recipient of an EPA Administrative Order under Section 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) as amended, 42 U.S.C. §9606(a), because of their operation of a facility that was identified as having an actual or threatened release of a hazardous substance to the environment which EPA determined may present an imminent and substantial endangerment to the public health or welfare or the environment. Under Section 106 such a person may be required to take action to mitigate this threat.

A mixed funding request was filed by IDC for EPA to share 50 percent of the cleanup costs. The request was fully evaluated, but it was rejected based on EPA settlement policies. Mixed funding is not appropriate when the actions to be performed must be completed within short timeframes and involve small expenditures of funds. The work required at the site has been completed by IDC, so mixed funding is no longer applicable under any conditions.

I hope this information addresses your concerns. The decision to deny mixed funding is based on EPA policy and practice. If you have any questions, or if I may be of further assistance, please contact me.

Sincerely yours,

Robert E. Layton Jr., P.E.  
Regional Administrator

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CONCURRENCES

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